

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 13, 2010**

DIVISION TWO

B213328      People                                  (Not for Publication)  
v.  
Wayne Taylor III

The judgment is affirmed.

Ashmann-Gerst, J.

We concur:   Doi Todd, Acting P.J.  
                      Chavez, J.

B219063      People                        (Not for Publication)  
v.  
Perla

The judgment is affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Chavez, J.

DIVISION TWO (continued)

B220275      Gamiliel, et al.                      (Not for Publication)  
                 v.  
                 Litman

The order sustaining Litman's demurrer to the SAC without leave to amend is reversed as to the tenth cause of action for negligence only. In all other respects, the order is affirmed. The judgment of the trial court is reversed. The parties to bear their own costs on appeal.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                     Chavez, J.

B210898      Windward Capital Management Co., et al.              (Not for Publication)  
                 v.  
                 Christenson, et al.

The breach of contract award is affirmed, the fraud and punitive damages awards are reversed, and the matter is remanded for recalculation of cost of proof sanctions. Christenson and Anderson are entitled to their costs on appeal.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                     Chavez, J.

B225457      Aida A.    (Not for Publication)  
                 v.  
                 SCLA

The petition for extraordinary writ is denied. This opinion is made final forthwith as to this court.

Boren, P.J.

We concur:   Doi Todd, J.  
                     Chavez, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Zaida G. Clayton, Deputy Clerk.

Each of the following:

B222837 DCFS v. F.R.  
B223491 DCFS v. Z.C.

Argument waived, cause submitted.

B218128     Maria S. Rangel  
                 v.  
                 Estate of Catherine L. Moreno aka Kay Brucker

Merits:  
Argued by Yolanda Fanco for appellant and by Thomas Armstrong for respondent. Cause submitted.

B218932     Claudia Gray  
                 v.  
                 City of Los Angeles, et al.

Merits:  
Argued by Stuart B. Esner for appellant and by Gregory P. Orland, Deputy City Attorney for respondents. Cause submitted.

B218230     Aaliyah Hindman, et al.  
                 v.  
                 City of Pasadena, et al.

Merits:  
Argued by Milad Sadfr appellants and by Hugh Halford for respondents. Cause submitted.

DIVISION THREE (continued)

B222307     Interinsurance Exchange of the Automobile Club  
              v.  
              Jeannine Soliz

Merits:

Argued by Peter J. Godfrey for appellant and by Evan D. Marshall for respondent. Cause submitted.

B221431     State Farm Insurance et al  
              v.  
              Workers Compensation Appeals Board  
              County of Los Angeles, Respondent

Merits:

Argued by Amy Creager for petitioners; by William Linheim and Steven M. Klugman for respondents and by Derrick Au for amicus curiae. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Zaida G. Clayton, Deputy Clerk.

Each of the following:

B218788 The People v. Luzon Victor Capiendo  
B221401 The People v. J.G.  
B221729 People v. James L. Foster  
B218756 People v. Henry Solomon, et al.

Argument waived, cause submitted.

DIVISION THREE (continued)

B216508     Thomas Palazzolo  
                 v.  
                 Childrens Hospital Los Angeles

Merits:  
Argued by Glenn Danas for appellant and by Christine Hoeffner for  
respondent. Cause submitted.

B216890     Sophia Cohen  
                 v.  
                 Ronald Braverman

Merits:  
Argued by Leonard S. Sands and Ada Sands for appellant and by Jane D.  
Saltsman for respondent. Cause submitted.

Court adjourned.

DIVISION FOUR

B217682     People  
                 v.  
                 Nuno et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in  
judgment)

DIVISION SIX

Court convened at 10:30 a.m.

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B220451     Richard D. v. Kelee D.

Argument waived, cause submitted.

DIVISION SIX (continued)

B204839 Marina Glencoe, L.P.  
v.  
Amidi Partners, LLC

Merits:

Argued by Gerlad M. Serlin for appellants and by Kimball J.P. Sargeant for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B188387 People v. Lee  
B214830 People v. Ayala  
B215966 People v. Zachery F.  
B217524 People v. McLaughlin  
B218410 People v. Emerson  
B218746 People v. Harris  
B219194 People v. Williams  
B220992 People v. Acosta  
B221742 People v. Makaena  
B222194 People v. Campos  
B222207 People v. Cook  
B223211 People v. Chester  
B223460 People v. Lorta

Argument waived, cause submitted.

DIVISION SIX (continued)

B218908     People  
              v.  
              Contreras

Merits:  
Argued by Richard C. Gilman for appellant and by Robert S. Henry, Deputy Attorney General, for respondent via video conference. Cause submitted.

B217425     People  
              v.  
              Senter

Merits:  
Argued by Helen Simkins Irza for appellant and argument previously waived by respondent. Cause submitted.

B219566     People  
              v.  
              Samuel A.

Merits:  
Argued by Lyn A. Woodward for appellant and by Charles S. Lee, Deputy Attorney General, for respondent via video conference. Cause submitted.

B221692     People  
              v.  
              Wilson

Merits:  
Argued by Richard Eric Holly for appellant and by David Wildman, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B219541     People  
              v.  
              Antoci

Merits:

Argued by Ronald Richards for appellant and by Roberta Davis, Deputy Attorney General, for respondent via video conference. Cause submitted.

Yegan, J. left the bench.

B213536     People  
              v.  
              Adame, Vasquez and Delgado

Merits:

Argued by Sara H. Ruddy for appellant Adame; by Robert Lawrence Angres for appellant Vasquez; by Laura Susanne Kelly for appellant Delgado and by Michael R. Johnsen, Deputy Attorney General, for respondent. Cause submitted.

B222025     Sharp  
              v.  
              Ventura County Superior Court  
              (The People)

OSC:

Presented by Michael C. McMahon, Chief Deputy Public Defender, for petitioner and by Lisa Lyytikainen, Deputy District Attorney, for real party in interest. In open court real party in interest request that the court rule on its request, filed August 18, 2010, to stay the trial proceedings. Cause submitted.

Court recessed.

Court reconvened at 3:50 p.m.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

DIVISION SIX (continued)

B218424     People  
              v.  
              Shrier, Gravich, Gravich, Rozenberg and Rozenberg

Merits:  
Argued by David Haxton, Deputy Attorney General, for appellant; by Alexander W. Kirkpatrick for respondent Shrier; by Alan S. Yockelson for respondent Gersha Gravich; by Dennis A. Fischer for respondent Anna Gravich and by Vicki I. Podberesky for respondents Ella Rozenberg and Arkady Rozenberg. Cause submitted.

Court adjourned.

B221848     Padden                    (Not for Publication)  
              v.  
              Brown

The judgment (order) is affirmed. The parties shall bear their own costs on appeal.

Perren, J.

We concur: Yegan, Acting P.J.  
              Coffee, J.

DIVISION SEVEN

B221680     People                    (Not for Publication)  
              v.  
              Auston

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
              Jackson, J.

## DIVISION SEVEN(continued)

B217852 People (Not for Publication)  
v.  
Chandler

The judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.  
Jackson, J.

B221551      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Thomas M.

The dispositional order is affirmed and the matter is remanded to the juvenile court with directions that the court direct DCFS to comply with the notice provisions of ICWA and the court's prior order that DCFS provide notice to the Blackfeet tribe. If Lashawn is determined to be an Indian child, then Father is entitled to petition the juvenile court to invalidate any orders which violate ICWA.

Jackson, J.

We concur: Perluss, P.J.  
Zelon, J.

B218690 Ashrafi, et al. (Not for Publication)  
v.  
Khalili, et al.

The judgment is affirmed. Defendants and cross-complainants shall recover their costs on appeal.

Jackson, J.

We concur: Perluss, P.J.  
Woods, J.

DIVISION SEVEN(continued)

B218012      Kapilow, et al.                      (Not for Publication)  
v.  
Coldwell Banker Residential Brokerage Company, et al.

The judgment is affirmed. Defendants are to recover their costs on appeal.

Jackson, J.

We concur:    Woods, Acting P.J.  
                  Zelon, J.

B219710      Goytia-Nummedal                      (Not for Publication)  
v.  
Nummedal

The order is affirmed. Goytia is awarded her costs on appeal.

Jackson, J.

We concur:    Perluss, P.J.  
                  Woods, J.

B215440      Braden                                      (Not for Publication)  
v.  
All Nippon Airways Co., LTD.

The judgment is affirmed. ANA is awarded its costs on appeal.

Jackson, J.

We concur:    Woods, Acting P.J.  
                  Zelon, J.

## DIVISION SEVEN(continued)

B220975      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
David W.

The dispositional order is modified by striking that portion of the order removing David from Father's custody. It is further modified to reflect that it would be detrimental to place David with Father under section 361.2, subdivision (a). As modified, the dispositional order is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Woods, J.

B219824 People (Not for Publication)  
v.  
Baltazar

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Woods, J.

B217250      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Jonathan O.

The dispositional order committing the minor to DJJ is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Zelon, J.

DIVISION SEVEN(continued)

B222403      Ed H. Park      (Not for Publication)

v.

Sung Hwa Jung, et al.

The judgment is affirmed. The condominium purchasers are to recover their costs on appeal.

Perluss, P.J.

We concur:    Zelon, J.  
                     Jackson, J.

B222097      Los Angeles County, D.C.F.S.      (Not for Publication)

v.

Francois C.

The order of the juvenile court is affirmed.

Perluss, P.J.

We concur:    Woods, J.  
                     Jackson, J.

B219963      Cyrus M. Sanai

v.

Harvey Saltz, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B214041      Santa Clarita Athletic Club, Inc.

v.

City of Santa Clarita

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN(continued)

B215543     People  
              v.  
              Cabrera, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B217464     State of California ex rel. Michael Fowler, et al.     (Not for Publication)  
              v.  
              Caremark RX, LLC, et al.

The trial court's order dated May 13, 2009, imposing discovery sanctions, is affirmed. Respondents are awarded costs on appeal.

Bigelow, P.J.

We concur: Rubin, J.  
              Flier, J.